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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/148,615	09/04/1998	BENJAMIN KILGORE	MS-78	3633
27662	7590	10/09/2003	EXAMINER	
LYON & HARR, LLP 300 ESPLANADE DRIVE, SUITE 800 OXNARD, CA 93036			CHEN, TE Y	
			ART UNIT	PAPER NUMBER
			2171	

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/148,615

Applicant(s)
Kilgore

Examiner
First Last

Art Unit
1234



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Aug 8, 2003
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-23 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

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DETAILED ACTION

1. This communication is responsive to the amendment E filed on 08/08/2003 (paper # 24).
2. Claims 2-23 are pending for examination, claims 2, 7 and 19 has been amended.
3. The examiner appreciates for the applicant to point out the typing error of U.S. patent number 5,967,695 and already corrected the mistake as shown below.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in

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section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

35 U.S.C. § 102(e), as revised by the AIPA and H.R. 2215, applies to all qualifying references, except when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. For such patents, the prior art date is determined under 35 U.S.C. § 102(e) as it existed prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. § 102(e)).

5. Claims 2-23, are rejected under 35 U.S.C. 102(e) as being anticipated by Redford et al. (U.S. Patent No. 5,957,695).

As to claims 2-4 and 6-17, Redford et al. (Hereinafter referred as Redford) discloses an application development system with remote control utility, which allows the user of the system to displaying commercials and sending purchase orders by computer [see, title]. Wherein, the system comprising:

* an interactive media unit [for example, 900, Fig. 9A] which includes a user interface [907, Fig. 9A] and application creation engine [908, Fig. 9A], such that, in response to user's initial query, the system transmits a plurality of data packets

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comprising associated data values [for example, see the sets of multi-media files 902 - 905, Fig. 9], as a subset of available data on the host computer to a remote client computer [for example, see Fig(s). 8A-8D] in a multi-media information distribution client/server environment [see, Abstract, lines 11- 20; Fig(s). 1A-1G, 8A-9F] via a set of telecommunication devices [for example, see 124, 130, Fig. 1E];

* a display monitor of the client computer comprise a control module [for example, the scrolling bar of the text window 930, see Fig. 9C]. There, By using the value inputted by a user of displayed control module (e.g., scrolling-up or scrolling-down actions applying to the slider), the system will dynamically adjusting the associated data values including that of the slider [e.g., the set of page text labels] and the values of the input box [e.g., the edit screen (931A), Fig. 9C] which is dynamically coupled to the slider and display the adjusted data values on the client system.

6. As to claim 5, except all the limitations listed above, Redford further discloses that the interface options having slider filters, input boxes, drop-down menus and radio buttons [e.g., 926, 924, 930, 931A, etc. Fig. 9C, 964F, Fig. 9E].

7. As to claims 18-23, except all the limitations listed above, Redford further discloses that the data being transmitted is encoded with pricing data from a server

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computer and the data is decoded and displayed on the client computer [col. 53, lines 9-13; claim 29].

Response to Arguments

8. Applicant's arguments filed on 08/08/2003 have been fully considered but they are not persuasive.

9. As to claim 2, the examiner disagrees with the Applicants' assertion that Redford et al. (U.S. Patent # 5,957,695) fail to disclose the "claimed feature of at least one adjustable interface option including a single slider control that is slidably movable along a reference datum". The '695 patent specifically disclosed a slider control [e.g. the little gray box of the slider of the drop down list box (930A), Fig. 9C] which is clearly slidable [for example, via dragging the box upward/downward] along a reference datum [e.g. the cover.txt, page1.txt, page2.txt, etc.].

10. As to claim 7, the examiner disagrees with the Applicants' assertion that the '695 patent fails to disclose the "claimed feature of using dual slider controls displayed on the client display monitor having multiple boundaries for adjusting associated data values within a range". In response to this argument, the examiner points out the '695 patent clearly discloses at least one dual slider controls [for example, the scrolling-up and

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scrolling-down triangles of the slider of the drop down list box (930A), Fig. 9C] which apparently can be clicked by the client to adjust the associated data values having multiple boundaries [e.g. the cover.txt, page1.txt, page2.txt, etc., Fig. 9C] within a range [e.g. the page5.txt range, Fig 9C].

11. As to claim 19, the examiner further disagrees with the Applicants' assertion that the '695 patent fails to disclose the "claimed feature of adjusting pricing data using a slider filter that is dynamically coupled to an input box so that both the slider filter and the input box dynamically change as a user configures the slider filter, the input box, or both". As discussed above, the '695 patent specifically discloses an input box [e.g., 931A, Fig. 9C] which is dynamically coupled to the slider [e.g., 930A1, Fig. 9C], when the client uses the slider control to adjust the contents of the drop down list [i.e., 930A, Fig. 9C], and select one of the listed items [e.g., page5.txt] by double clicking the data item [e.g., page5.txt], the contents of the editable input box [i.e., 931A, Fig. 13] will be updated [e.g., see col. 45, lines 45-51]. Furthermore, the '659 patent teaches that the contents of the display may comprising commercial price data of a product or service [e.g., see col. 53, lines 9-13 (claim 29)].

12. Based on the discussion above, the prior art reads the features claimed by the applicants.

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Conclusion

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Chen whose telephone number is (703) 308-1155. The examiner can normally be reached Monday through Friday from 7:30 A.M. to 4:30 P.M.


15. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached at (703) 308-1436. The fax phone numbers for this group is 703 872-9306.

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16. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Susan Chen

Sept. 30, 2003


UTEN LE
PRIMARY EXAMINER
AU 2171